IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

WRIT PETITION NO. 1895 OF 2007

Ramesh Maniklal Welapure ....Petitioner
V/s
Ajit Maniklal Gandhi ....Respondent.

Mr.Rupesh Bobde i/by Mr.Umesh R. Mankapure, Adv. For the petitioner.

Mr.Amit A. Karande, Adv. For respondent No.1.

Mrs.M.H.Mhatre, APP For the respondent No.2.

CORAM: A.P.DESHPANDE, J.
6/12/07

PC:

This writ petition is directed against an order passed by the Principal District Judge, Solapur dated 26.2.07 which though transferred a criminal case from the Court of JMFC presided over by Shri Yadav to the Court of JMFC presided over by Shri Lokhande who is the Principal JMFC as prayed for by the petitioner but it does not mandate the transferee Court to try both the cases simultaneously. Learned counsel appearing for respective parties are in agreement that simultaneous trial of both the cases would be in the interest of justice and it be so ordered. It will not be out of place to mention that a complaint case has been filed by the respondent against the petitioner for commission of an offence under section 138 of Negotiable Instruments Act whereas the petitioner has filed a complaint against the respondent under

section 465 of Indian Penal Code alleging that the said cheque in question has been forged by the respondent. In this view of the matter I direct the Principal JMFC to whom STC No.3739/02 has been transferred to hear and decide STC No.3736/02 and STC No.3875/02 simultaneously. This order is only in modification of the order passed by the Principal Sessions Judge. Writ petition stands disposed of accoridngly.

6.12.07